

FISCAL NOTE

HB 2761 - SB 2815

February 2, 2008

SUMMARY OF BILL: Creates a Class A misdemeanor for leaving the scene of a boating accident if such person knew or should have known the accident resulted in serious injury. Creates a Class E felony for leaving the scene of a boating accident if such person knew or should have known the accident resulted in death.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$6,900/Incarceration*
Increase State Revenue – Not Significant

Increase Local Gov't. Expenditures – Not Significant
Increase Local Gov't. Revenue – Not Significant

Assumptions:

- One offender per year will be convicted of the Class E felony of leaving the scene of a boating accident when such person knew or should have known that the accident resulted in death and will serve 0.3 years (109.58 days).
- According to the Department of Correction, the average operating cost per inmate per day for calendar year 2008 is \$62.78. The cost per inmate at 0.3 years is \$6,879.43 (\$62.78 x 109.58 days).
- There will not be a sufficient number of prosecutions for local governments to experience any significant increase in revenue or expenditures.
- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local revenue from fees, taxes and costs collected. These expenditures and revenue are estimated to be not significant.
- No significant incarceration cost increase will occur due to population growth in this period.

*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

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CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large initial "J" and a distinct "W".

James W. White, Executive Director

/lsc